ZONING BOARD OF APPEALS TOWN OF BLOOMFIELD REGULAR MEETING December 7, 2015

I. CALL TO ORDER

Chairman Jacqueline Isaacson called the regular meeting of the Zoning Board of Appeals to order at 7:32 p.m. in Council Chambers at Bloomfield Town Hall. The following members were also present: Steve Millette, Neal Sheldon, Lucille Wactowski, Shirley Williams, Fannie Pittman. Also present were Michael Kosilla, Zoning Compliance Officer and Laura James, Recording Secretary.

II. NOTICE OF MEETING

Chairman Jacqueline Isaacson read the Meeting Notice.

III. PUBLIC HEARING

A. Request by Allen Goldsher for variances for the front and side yards to allow a single-family home at 21 Juniper Road, R-80 zone.

Mr. Allen Goldsher, 45 High Wood Rd, West Hartford, stated he is asking for relief from required 50 ft. front yard to a 30 ft. which is a 15 ft. variance and relief from the required 35 ft. side yard to 18ft. which is a 17 ft. variance. He was a prior resident for ten years, and wants to become a resident again. He purchased a vacant lot at 21 Juniper Rd to construct a home consistent with others in neighborhood. The lot is R-80 zone, however, the subdivision containing this lot was approved by the Town of Bloomfield before the adoption of zoning regulations establishing the R-80 requirements. The lot area and frontages as shown on the subdivision map are all non-conforming to the R-80 zone. There are also no side yard requirements on the subdivision map approved by the Town of Bloomfield and on file with Town Clerks office. The Town approval of this subdivision which contains his lot preceded the establishment of wetland regulations. The official wetlands line as shown of the Town's GIS mapping system is located 200 ft. back from Juniper Road. The field delineation of wetland soils made after the purchase of the lot is shown on the plans provided for you. If the house location was to conform to R-80 zoning requirements it would impact a significant area of wetlands and it may not be approved by Wetland Commission. Approval of these variances will allow the construction of the home with minimal disturbance to the inland wetland. Mr. Goldsher believes his request of this Committee would be fair and reasonable due to the following reasons.

- 1. The R-80 zone requirements were imposed on this subdivision after its creation.
- 2. This is the last lot in the area that is not developed with a home
- 3. The current zoning regulations were not in force when the adjacent homes were constructed.
- 4. The wetland regulations were not in force at the time of the construction of some of the adjacent homes.

These requirements are being imposed on this lot and were not on the other lots. Approval of this variance will not change the character of the neighborhood, because the proposed home is residential in character and consistent with size and style with the existing homes in the neighborhood. True extent of the wetlands was not known until after the purchase of the lot and it was found to have more wetlands than stated on the Town's map. Mr. Goldsher pointed out that the regulations did not impact the construction of the other homes in the neighborhood, making my proposed home unique in that respect.

Chairman Isaacson asked if he still had to go to wetlands?

Mr. Allen Goldsher stated yes.

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Commissioner Millette asked does it have the same set back as the neighbors?

Mike Kosilla stated it varies, some sit way back.

Commissioner Millette stated it looks like the house was moved forward and little bit to the side.

Mr. Allen Goldsher stated this is why we are asking for the variances to try and have a minimal impact on the wetlands as possible. Neighbors were concerned about flooding but we tried to address those concerns. Whole intent is the limit the impact on the wetlands.

Chairman Isaacson, asked if there are any actual watercourses on the property?

Mr. Allen Goldsher stated there are no watercourses on the property.

Commissioner Sheldon asked what is your worst case scenario if this is not approved?

Alan Goldsher stated worst case is the Wetland Commission does not approve and we would have a difficult time so we need the variances in order that we impact the wetlands as little as possible. Construction is for a 2500 ft. Colonial and they also looked at putting in a Ranch but the impact was too great. If he were to put in something smaller it would impact the character of the neighborhood and the neighbors would be upset because it would impact the value of their homes. He reached out to the neighbors to try and alleviate those fears.

Chairman Isaacson asked when did you purchase the land?

Mr. Allen Goldsher stated almost a year ago, and last time he was here was for the wetland map amendment. To try and show some credibility to the Committee, the Towns wetland map was incorrect and they actually found more wetlands when we did the survey which caused an additional hardship to have to come an ask for the variances.

Commissioner Wactowski asked if he was constructing the home to consider a little bit of flooding?

Allen Goldsher stated whatever wetlands are impacted we have to show how we would mitigate those and a lot has to do with grading and shrubbery, there is no standing water. He was initially looking to build the house on a slab but after talking to Town staff, he decided that he would probably need a little bit of a basement for some storage or mechanical room. The Engineers and Soil people will have to address that.

Chairman Isaacson asked what part of the house is the wetlands line going through.

Mike Kosilla, Zoning Officer stated based on chimney on that side, right side is living room and the 22ft across is probable garage which is probably on the slab and family room in back. There is not much of a house you can get in there. From a zoning perspective they did good job in squeezing in what they could with as little impact on the wetlands.

Chairman Isaacson asked Mr. Kosilla if they want to make changes to the variances will they have to come back?

Michael Kosilla, stated if it is less of an impact they don't have to come back, but if they need more of a variance he would have to come back,

Chairman Isaacson closed the public hearing

A motion was made by Lucille Wactowski to approve the request by Allen Goldsher for variances for the front and side yards to allow a single-family home at 21 Juniper Road, R-80 zone based on the fact that the regulations have changed after the purchase of the property and the large effort to not impact the wetlands areas that were firmed up after the purchase of the property. The motion was seconded by Commissioner Sheldon, and it passed unanimously.

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IV. Election of Officers

A motion was made by Commissioner Wactowski to nominate Jacqueline Isaacson as Chairperson. The motion was seconded by Commissioner Millette, and passed unanimously.

A motion was made by Chairperson Isaacson to nominate Commissioner Pittman as Secretary. The motion was seconded by Commissioner Millette, and passed unanimously.

V. Minutes

A motion was made by Commissioner Pittman to approve the minutes of the September 9, 2015 meeting, as presented. Commissioner Millette seconded the motion and was approved unanimously.

VI. Adjournment

A motion was made by Commissioner Millette to adjourn the meeting at 8:05 p.m.

Fannie Pittn	nan, Secre	tary